

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 4:06CR770 RWS
	)	
ANDREW CHARLES KAIN,	)	
	)	
Defendant.	)	

**ORDER**

This matter is before me on defendant Andrew Charles Kain's objections to the Supplemental Report and Recommendation of United States Magistrate Judge Mary Ann L. Medler.

I have concluded a *de novo* review of the briefs filed by the parties and the hearings conducted by United States Magistrate Judge Mary Ann L. Medler.

On February 12, 2007, United States Magistrate Judge Mary Ann L. Medler held an evidentiary hearing on defendant's motion to suppress evidence and motion to suppress statements. Judge Medler issued her Report and Recommendation on February 23, 2007. On May 18, 2007 defendant moved to reopen the evidence on his motion to suppress in light of allegedly newly discovered evidence. On August 15, 2007 Judge Medler held a supplemental

evidentiary hearing. On September 7, 2007 Judge Medler issued her supplemental Report and Recommendation that the defendant's motion be denied. On September 18, 2007, defendant filed his objections to the Supplemental Report and Recommendation.

After carefully reviewing the objections to the Magistrate Judge's Supplemental Report and Recommendation,

**IT IS HEREBY ORDERED** that the Report and Recommendation of United States Magistrate Judge Mary Ann L. Medler [#47] filed September 7, 2007 is **SUSTAINED, ADOPTED, and INCORPORATED** herein.

Upon Review of the Magistrate Judge's Report and Recommendation and Supplemental Report and Recommendation, the evidentiary hearing as well as relevant case law, I concur with Judge Medler's findings and recommendations.

**IT IS FURTHER ORDERED** that defendant Andrew Charles Kain's motion to suppress evidence [#15], his motion to suppress statements [#16], and his renewed motion to suppress statements [#37] are denied.

  
\_\_\_\_\_  
RODNEY W. SIPPEL  
UNITED STATES DISTRICT JUDGE

Dated this 10th day of October, 2007.